



Tyngsborough Board of Health

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Sheila Perrault, Chairperson

Bernadette Harper – Vice Chairperson

Patricia Quinn

Christopher Mellen

Tracie Looney

Board of Health Meeting Minutes

August 13, 2012

Members Present: Sheila Perrault (SP), Christopher Mellen (CM), Bernadette Harper, Pat Quinn (PQ), Tracie Looney (TL)

Also Present: Kerri C. Oun (KO) – Health Agent, Assistant, Matt Waterman (MW) – Landtech Consultant

6:10 Meeting Opened: Chairperson SP opened meeting

6:10 Meeting Minutes:

BH: Made motion to accept meeting minutes from June 11, 2012.

CM: Second the motion

Vote: yes – 5 no – 0

6:11 Olive Garden

Dale McKinnon (DM) and Geoffrey Robillard (GR) were present on behalf of Olive Garden. MW reviewed plan and will email comments to the BOH. Plan will need variance for FAST chambers and ground water offset. Mr. McKinnon went into the specific of the plans. Restaurant will remain open during repair. One of the issues was a water softener in unit. They will have to provide a separate drainage for the water softener. There are 2 air blowers that will blow into fast tank to improve water quality before going to the leaching field. One of MW condition that the FAST system will need a quarterly review, sand from the existing system will have to be sampled if it is going to be re-used. SP asked if that has been any break-out. Per GR and KO, there has not been any break-out. GR informed that the system has been pumped and will submit the pumping record to BOH. Pumping will be done monthly. DM claimed due to his absence in June meeting, he misunderstood and now monthly pumping will start up again. GR said that it is their goal to start the process for bidding immediately. There will be 2 weeks window for bidding and per Darden (Corporate) policy, they will need 4 bids. BH asked how long the process will take. Per GR, he hoped to be breaking ground by 4 weeks. MW said he has received letter from Bio-Microbics Septic Systems saying that they have reviewed the system. TL asked if

Conservation Commission is doing anything regarding issue. KO explained that she had spoken to the Conservation Commissioner, Matt Maurro and he is waiting to see how cooperative Olive Garden is with the Board of Health order. GR asked if there is a lengthy process to get permit. KO explained that the installer needs to be licensed by BOH. Permit is ready to be issued. MW said that he is also available to have a pre-construction meeting. DM thinks it may take 4-6 weeks to install system.

BH: Made motion to grant variance to reduce the 4-foot groundwater off-set distance from the bottom of soil absorption system to the estimated seasonal high water table and allowed the use of the FAST System with conditions set forth by MW.

TL: 2nd the motion

Vote: Yes -5 no - 0

For next meeting, Darden is on a tentative schedule to appear depending on the progress of their work.

6:45 6 Lemire Ave.

Kevin Richie (the engineer) and the owners (the Reids) were present to request variance for their septic system. As of right now, their septic system failed. They are proposing 2 compartment tanks system. The system will be within 100 feet of 4 wells (77 Frost Rd., 6,8, and 10 Lemire Ave). Due to lot size, they are requesting a variance to reduce from the 100 feet requirement and reduce the offset from the lot line. MW explained the science behind the requirement for the 100 feet offset from the well: water travels about a foot a day and life cycle of bacteria should die before the well and that is why Title V maximum feasible compliance is 50 feet. MW recommends effluent filter to be put in the 4 wells within the 100 feet needed to be tested and the result submitted, and the deed disclosure for 2 bedrooms and filter shall be part of the system and perpetuity. BOH recommends that they sample their water annually for E. Coli, ammonia and nitrate.

BH: Made motion to grant variance to reduce the offset from a leaching area to a property line from 10 feet to 3.5 feet, from a septic tank to a property line from 10 feet to 6.5 feet, from a leaching area to a garage slab foundation from 10 feet to 7.5 feet, and from a leaching area to a private on-site well from 100 feet to 50 feet and to allow more than 36 inches of cover material over the proposed leaching pits with MW recommendations. BOH strongly recommends for owner to test water annually and must submit first year's result to BOH.

TL: 2nd the motion

Vote: yes -5 no - 0

7:00 Open Issues

KO asked what the Board wants to do regarding the flu clinic. BOH has bought 100 doses. SP asked how many homebound people were there last year and how many shots were given. CM said there were about 20 homebound residents and about 100 doses were given. Board discussed having clinic at the Senior Center. TL asked if the Board should have flu clinic at the Health Fair. SP explained that having the flu clinic at the Health Fair would be confusing

because we do not give shots to kids under 18 and in addition, there are paper works involved for medical billing. Another thing that we have to deal with is to observe patient who receive the vaccine for the first time for at least 15 minutes. Last year, PQ, CM, and KO made visits to homebound patients and the schools to give flu shots. More flu vaccines can be ordered for the homebound residents if the flu vaccines run out at the clinic. PQ will contact Barbara Roche at the Senior Center to confirm the date. KO will contact MRC to request for volunteers.

Administrative Assistant's Notes:

KO went over the reports KS put together. SP inquired if we have gotten the sharps kiosk for the office yet. At this point, we have not gotten the kiosk yet due to lack of space. Currently, BOH continues to accept needles from the residents. KO informed the Board that the regulation for the sharps ban in household trash system is now in effect. SP explained the history of kiosk and needles acceptance at BOH to TL.

Frost Road: SP asked for comments from the Board per TA's request. PQ does not think the Merrimack River is a safe place for swimming. TL read the rules for the park that say swimming is prohibited. Board feels that rules clearly state that swimming is prohibited and do not think opening up the park for swimming is a good idea.

Special Town Meeting will be held on October 16, 2012.

State has sent notice that State supplied flu vaccine can be only be given to people without insurance.

7:30 Recycling Subcommittee:

KS has been back and forth with Legal Counsel regarding recycling subcommittee and the 40Bs. KS has been trying to figure out when the subcommittee was formed. KS cannot find mention of any minutes. The 2nd issue is that the recycling subcommittee does not have by-laws. Because the recycling committee is a subcommittee of the BOH, any purchases that the recycling subcommittee wants to make needs to be approved by the BOH. SP wants to know what the money in the recycling account is earmarked for: education only or other items such as compost bins. SP wants a by-law or guideline for better communication between the BOH and the recycling subcommittee. SP posed question to the Board whether the Board wants a recycling subcommittee and if we do, the Board needs to have a by-law for the subcommittee. TL expressed that she cannot imagine not having a recycling subcommittee, especially at this time where we want the world to be green. PQ thinks that the recycling subcommittee is doing a good job and we should continue to have the committee. CM is an avid recycler and he has been recycling as far as he could remember. All Board members are in agreement that the Board needs a recycling subcommittee. SP expressed that the subcommittee needs a by-law. For example, the members were supposed to be appointed but that has not been done so far. SP will work on the by-laws and hopefully able to present to the Board at the next meeting.

40Bs and DEP Recycling Grant:

Diana Keohane has been working on ideas to get the 40Bs recycling. CM mentioned the trash and recycling request from the Town has come before the Town 2 times already but has been voted down both times by the voters. SP asked KO if all the 40Bs recycle except Maple Ridge. KO believed that is to be true. SP explained that 40Bs obtain buildable lot that is less than what is required by signing into agreement with the Town. Normally a buildable lot in Tyngsborough is an acre and $\frac{1}{2}$ but when 40Bs were created, they were allowed to build on a $\frac{1}{4}$ lot with conditions that there is no service from Town. BOH required homeowners to have deed restrictions (as done earlier today) and therefore the Board cannot overlook the deed restrictions placed on the 40Bs homes.

Diana is interested in applying for a grant from DEP. She wanted to get the 40Bs and the businesses to recycle and to increase recycling in Tyngsborough. SP expressed concerns that when grant is done, the workload would be on the BOH. BOH is a part time office that cannot monitor recycling on top of everything else. She cannot support plan if there is no long term plan and grant cause extra weight on the BOH office. Another part of grant is to look on how businesses can recycle. TL asked if making businesses recycling would save the businesses money. In KO's opinion, it would not save the businesses' money because the trash hauler has to provide 2 dumpsters and 2 different trucks have to come out for pick up. PQ expressed that the economy right now is bad and does the Board want to put the burden on business to recycle. The deadline is August 28th. SP supports increasing recycling but has issues if the plan is to disregard the deed restriction with 40Bs. She also would not support pay as you throw for the residents in Tyngsborough and therefore would not support pay as you throw for the 40Bs as well. The Board is in agreement with not providing 40Bs with recycling service but is in support of the grant to increase recycling in Town. SP would meet with Diana after meeting to go over grant before submitting to DEP.

8:30 Health Fair

Education Foundation Tyngsborough (EFT) would like the BOH to administer the Health Fair. The Fair is on the first weekend of November at the Elementary School. SP's concern is the time issue. CM helped run fair last year. CM has contacts of vendors. PQ and TL are willing to help with the fair as well.

9:00 Motion to adjourn

TL: made motion to adjourn

PQ: 2nd the motion

Vote: yes -4 no - 0 (BH left at 7:30 pm)